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W.P.No.31001 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31001 of 2025
and WMP.No.34734 of 2025

P.Gokul Prakash

... Petitioner

Vs.

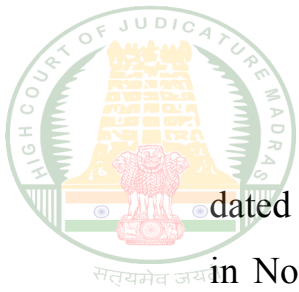
1.The Secretary to Government
Health Department
Secretariat, Fort St.George
Chennai.

2.The Member Secretary
Medical Services Recruitment Board (MSRB)
7th Floor, DMS Building, Anna Salai
Teynampet, Chennai - 600 006.

3.The Director of Medical and Rural Health Services
No.359, Anna Salai
Teynampet, Chennai - 6.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to include the name of the petitioner in Sl.No.6 in the Provisional Selection List for the post of Assistant Surgeon (Dental) published in PSL No.12/MRB/2025



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dated 06.08.2025 pursuant to the notification issued by the second respondent in Notification No.05/MRB/2025 dated 25.02.2025 and process the name of the petitioner for the counselling by accepting the Certificate of Registration as Dentist issued by the Tamil Nadu Dental Council on 11.03.2025.

For Petitioner : Mr.S.Wilson

For Respondents : Mr.M.Bindran
Additional Government Pleader [R1 & R3]

Mr.L.Murugavelu for R2

ORDER

The writ petitioner seeks a mandamus to the second respondent to include his name at Sl.No.6 in the Provisional Selection List for the post of Assistant Surgeon (Dental) published in PSL No.12/MRB/2025 dated 06.08.2025 pursuant to the Notification No.05/MRB/2025 dated 25.02.2025 issued by the second respondent.

2. It is the case of the petitioner that he belongs to backward community and had completed his 12th Standard in the year 2019 by securing 469 marks out of 500. He competed in NEET and secured 456 marks out of 720 and joined the Tamil Nadu Government Dental & Medical College Hospital,



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Chennai, which is affiliated to Tamil Nadu Government Dr.M.G.R. Medical University, Chennai, and completed his B.D.S. course in August 2023. The petitioner thereafter had undergone a compulsory internship viz., Compulsory Rotatory Internship (CRI) for a period of one year from 27.12.2023 to 14.01.2025. Though he had successfully completed the course on 14.01.2025, he was issued with a course completion certificate only on 19.02.2025. Thereafter, he was issued with Provisional Certificate on 07.03.2025 by the Tamil Nadu Government Dr.M.G.R. Medical University, Chennai and the Certificate of Registration as Dentist by the Tamil Nadu Dental Council on 11.03.2025.

3. In the meanwhile, the second respondent had issued a notification dated 25.02.2025, inviting applications to fill up 47 posts of Assistant Surgeon (Dental) on temporary basis in the Tamil Nadu Medical Services through direct recruitment, and the last date for receipt of filled in application was on 17.03.2025. One of the criteria prescribed in the notification under the head 'Educational Qualification' [in Clause 6B] was that the candidate should possess the Tamil Nadu Dental Council Registration Certificate in Dental Surgery, on or before the date of notification i.e., on 25.02.2025. The



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petitioner had applied for the post of Assistant Surgeon (Dental) on 13.03.2025 enclosing the requisite documents, in which, he had clearly mentioned that his date of registration before the Dental Council was on 11.03.2025. The petitioner was allotted with a registration No.MRBASD25009724, and was permitted to write the examination, which had taken place on 24.04.2025. The petitioner had scored 25 marks out of 50 in the Tamil Eligibility Test and also scored 89 marks out of 100 in the subject paper.

4. The second respondent vide common intimation dated 30.07.2025 had called upon the candidates to appear for certificate verification on 04.08.2025. Accordingly, the petitioner who was placed at Sl.No.7, and with a great hope, he had appeared before the second respondent on 04.08.2025, but to his dismay, he was orally informed that his name cannot be considered in the selected list, since the petitioner's Tamil Nadu Dental Council Registration Certificate was dated 11.03.2025, which was beyond the cut-off date given in the notification i.e., 25.02.2025.

5. The petitioner would submit that the Provisional Selection List for



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the post of Assistant Surgeon (Dental) was published on 06.08.2025, in which the petitioner's name does not figure. As per the list, 48 candidates have been selected provisionally and based on the marks obtained by the petitioner, he would be placed at Sl.No.6. Therefore, the petitioner would contend that despite he completing his CRI as early as on 14.01.2025 and had submitted his certificates in time, the Tamil Nadu Dental Council had issued the Certificate of Registration only on 11.03.2025, which is beyond his control and there is no fault on his part.

6. Aggrieved by the act of the second respondent, the petitioner is before this Court.

7. Heard the learned counsels appearing on both sides.

8. The notification of the second respondent bearing No.05MRB/2025 dated 25.02.2025 invites applications from the eligible candidates for the post of Assistant Surgeon (Dental), and the requisite Educational Qualification is provided under Clause 6B of the said notification. The basic qualification required is that the candidates must possess a degree in Dental Surgery of any



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University or Institution recognized by the University Grants Commission for the purpose of its grant qualification of a body recognized by the Dental Council of India. In addition to this, the other required qualifications are also set out in Sl.No.(i) to (iv) of Clause 6B and for the case on hand, we are only concerned with Clause 6B(iii), which reads as follows :

"(iii) Candidates should have registered their name in the Tamil Nadu Dental Council on or before this Notification."

9. The petitioner appears to have completed his undergraduate studies in Bachelor of Dental Surgery in the month of August 2023. He intends to participate in the examination conducted by the second respondent for the post of Assistant Surgeon (Dental), and on 13.03.2025, the petitioner had submitted his application through online, and uploaded the requisite documents including the Certificate of Registration issued by the Tamil Nadu Dental Council, which the petitioner had obtained only on 11.03.2025. However, the notification prescribes that the date of Certificate of Registration as Dentist, should be on or before the date of notification i.e.,25.02.2025. The notification would further provide the 'Procedure for Selection' under Clause 9 thereof, which clearly states that "Selection will be made based on the marks.



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obtained in the Computer Based Test and duly following the rules of reservation and communal rotation of Government of Tamil Nadu and other conditions stipulated in the notification." Therefore, the candidates who have scored the qualifying marks, were called for the verification of the original certificates, which includes the petitioner also.

10. From the above facts of the case, it is clear that the petitioner had received his course completion certificate on 19.02.2025 and thereafter, it was forwarded to the Tamil Nadu Dr.M.G.R. Medical University, Chennai, who in turn had issued the Provisional Certificate on 07.03.2025. Thereafter, the Tamil Nadu Dental Council had issued the Certificate of Registration as Dentist on 11.03.2025, which is much beyond the date prescribed in the notification dated 25.02.2025. Since the petitioner does not satisfy the requirement as per Clause 6B(iii) of the notification, the petitioner was disqualified. Therefore, the relief claimed by the petitioner cannot be granted.

11. The writ petition is accordingly dismissed. However, taking note of the petitioner's performance in the examination conducted for Assistant Surgeon (Dental) and considering the fact that he hails from a backward



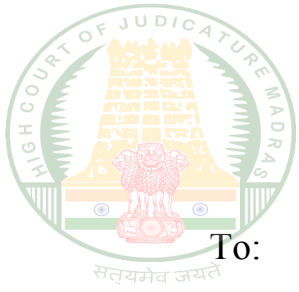
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community, the second respondent shall consider and substitute the petitioner in the place of the candidates who are now provisionally selected but opt out of it, if the petitioner is otherwise eligible. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Neutral Citation : Yes / No
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